

RESOLUTION NO. 09-99

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING THE FIRST AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA TO CONSTRUCT A FOUR-LANE ROADWAY ON NW 97 AVENUE, FROM NW 138 STREET TO NW 154 STREET, PROVIDING FOR MIAMI-DADE COUNTY TO SUPPLEMENT ITS SHARE OF THE COSTS OF THE IMPROVEMENTS FROM \$3,300,000 TO \$3,630,000, REPRESENTING AN INCREASE OF \$330,000; AND FURTHER AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO THE FIRST AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT IN SUBSTANTIAL FORM AS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1" AND TO EXECUTE SUCH DOCUMENTS AND AGREEMENTS IN FURTHERANCE THEREOF.

WHEREAS, pursuant to Hialeah, Fla., Resolution 06-51 (Apr. 26. 2006), the City of Hialeah entered into Joint Participation Agreement with Miami-Dade County, Florida to construct a four-lane roadway on NW 97 Avenue, from NW 138 Street to NW 154 Street, with a raised median, sidewalk, curb and gutter, continuous storm drainage system, roadway lighting, signage and pavement markings; and

WHEREAS, during the course of site preparation and construction, the City encountered additional unanticipated expenses incurred for de-mucking and removal and disposal of trash and contaminated fill; and

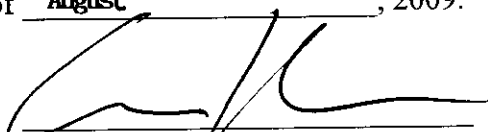
WHEREAS, Miami-Dade County has agreed through this First Amendment to the Joint Participation Agreement to pay the City an additional 10% contingency for unanticipated additional expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The City of Hialeah, Florida hereby approves the First amendment to the Joint Participation Agreement with Miami-Dade County, Florida to construct a four-lane roadway on NW 97 Avenue, from NW 138 Street to NW 154 Street, providing for Miami-Dade County, Florida to supplement its share of the costs of the improvements from \$3,300,000 to \$3,360,000, representing an increase of \$330,000.

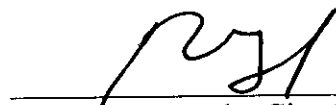
Section 2: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into the First Amendment to the Joint Participation Agreement, in substantial form as attached hereto and made a part hereof as Exhibit "1", and to execute such documents and agreements in furtherance thereof.

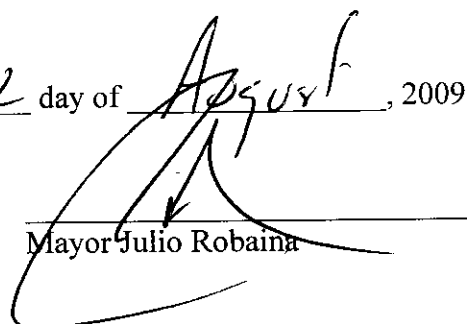
PASSED AND ADOPTED this 11th day of August, 2009.


Carlos Hernandez
Council President

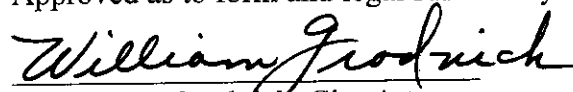
Attest:

Approved on this 12 day of August, 2009.


Rafael E. Granado, City Clerk


Mayor Julio Robaina

Approved as to form and legal sufficiency:


William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0 vote with Councilmembers, Caragol, Casals-Muñoz, Cue, Gonzalez, Hernandez, Yedra voting "Yes" and Councilmember Garcia-Martinez absent.